REMARKS

In the Office Action, the Examiner rejected claims 1-7 and 24 under 35 USC §103. The claims have been amended to further clarify the subject matter regarded as the invention. The claim rejections are fully traversed below.

Reconsideration of the application is respectfully requested based on the following remarks.

REJECTION OF CLAIMS UNDER 35 USC §103

In the Office Action, the Examiner rejected the claims under 35 USC §103 as being unpatentable over Hayes et al, U.S. Patent No. 6,073,212, ('Hayes' hereinafter) in view of Hunt, U.S. Patent No. 6,192,398, ('Hunt' hereinafter). This rejection is fully traversed below.

Hayes discloses a system in which "read-only constraints precludes store operations directed to a cache line in third cache 32 from being serviced unless the requesting client such as processor 22-2 asks for permission first. For example under a MOESI cache coherency protocol, if a processor has a cached copy in an "exclusive" state, the processor can safely read and write to the data copy without checking other caches for another data copy or informing other processors (in a multiprocessor system) because the data copy is exclusive. When a processor has a "read-only" copy, it means that there is a potential that more than one data copy of the same memory location is kept in other caches in the system. See Hayes, col. 6, lines 8-19.

While Hayes discloses <u>checking various caches</u> for a data copy and the need to <u>inform</u> other processors when data is written to an "exclusive" cached copy, Hayes neither discloses nor suggests <u>requesting permission</u> from another processor in order to <u>transmit</u> data. In addition, Hayes neither discloses nor suggests <u>obtaining an advisory state indicating whether it is necessary to obtain permission from the HTTP daemon</u>. More particularly, with respect to claims 1 and 24, Hayes neither discloses nor suggests "when it is determined that response data associated with the HTTP

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request is in the HTTP cache, obtaining an advisory state associated with the HTTP request from the HTTP cache, the advisory state when in a first state indicating that it is necessary to ~~consult with the web server~~ obtain permission from a HTTP daemon to determine whether the response data can be transmitted and when in a second state indicating that the response data can be transmitted without ~~consulting the web server~~ obtaining permission from the HTTP daemon" or "transmitting the response data in accordance with the advisory state associated with the HTTP request." Hunt fails to cure the deficiencies of the primary reference.

Hunt teaches a system in which storage devices (e.g., cache) provide remote storage for user units. See Hunt, col. 3, lines 45-49. Specifically, multiple remote/local caches are used in combination with one another. See col. 5, lines 37-40. When a request is received to load a specific Web page, the process determines whether an acceptably recent copy of the requested page is cached. If a sufficiently recent version is not cached, the in-progress flag associated with the requested page in the cache contents information for each cache which should contain the requested page is set. The requested page is then loaded or updated, and cached, which may include a lookup to a policy for caching at various local and/or remote shared caches. See col. 6, lines 20-42. If a requested page is cached in a cache accessible to the browser, the process determines whether an update of the requested page in the cache is required. See col. 6, lines 54-58. However, Hunt fails to disclose or suggest obtaining an advisory state indicating whether it is necessary to obtain permission from the HTTP daemon in order to transmit response data. Accordingly, Applicant respectfully submits that claims 1 and 24 are allowable over the cited art.

Applicant believes that the independent claims and dependent claims are allowable for the reasons previously set forth. The dependent claims depend from one of the independent claims and are therefore patentable over the cited art for at least the same reasons. However, the dependent claims recite additional limitations that further distinguish them from the cited references. For instance, claim 3 recites "transmitting the response data without modifying the response data in the HTTP cache when the advise state is in a first state." In other words, the response data is temporary, and therefore may be transmitted to the client but not stored in the HTTP cache. The cited references, separately or in combination, fail to disclose the claimed

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invention. Hence, it is submitted that the dependent claims are patentable over the cited art. The additional limitations recited in the independent claims or the dependent claims are not further discussed as the above discussed limitations are clearly sufficient to distinguish the claimed invention from the cited art. Thus, it is respectfully requested that the Examiner withdraw the rejection of the claims under 35 USC §103.

If there are any issues remaining which the Examiner believes could be resolved through either a Supplemental Response or an Examiner's Amendment, the Examiner is respectfully requested to contact the undersigned attorney at the telephone number listed below.

Applicants hereby petition for an extension of time which may be required to maintain the pendency of this case, and any required fee for such extension or any further fee required in connection with the filing of this Amendment is to be charged to Deposit Account No. 50-0388 (Order No. SUN1P701).

Respectfully submitted,
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